



August 2, 2005

By Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: *Ex Parte Presentation*
CC Dockets No. 02-33, 95-20 and 98-10; WC Docket No. 03-251

Dear Ms. Dortch:

On August 2, 2005, T-Mobile USA, Inc. representatives Tom Sugrue, Vice President of Government Affairs, Kathleen Ham, Managing Director, Federal Regulatory Affairs and Jamie Hedlund, Senior Corporate Counsel, Federal Regulatory Affairs met with Jessica Rosenworcel, Legal Advisor to Commissioner Michael J. Copps.

At the meeting, T-Mobile discussed the Commission's anticipated decision to reclassify DSL service provided by incumbent local exchange carriers ("ILECs") as an information service following the Supreme Court's decision in *Brand X*.¹ T-Mobile urged that any such decision should also address the concerns it raised in its comments in WC Docket No. 03-251. Consistent with those comments, T-Mobile urged the Commission to require ILECs to offer retail consumers cost-based, stand-alone DSL ("naked DSL") on a non-discriminatory basis.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, a copy of this letter is being filed for inclusion in the above-referenced dockets. Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/ James W. Hedlund

James W. Hedlund

cc: Jessica Rosenworcel

¹ See, "Chairman Kevin J. Martin's Announcement Regarding The Supreme Court's Decision In *Brand X*," June 27, 2005; *Nat'l Cable & Telecomm. Ass'n v. Brand X Internet Services*, Nos. 04-277 and 04-281, slip op. at 31 (June 27, 2005) ("*Brand X*").